

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. CV0110A

DECLARATION AND POWER OF ATTORNEY

As stated below named inventor, I hereby declare, of my own knowledge or on information and belief, that:

My residence, post office address and country of citizenship are as stated below next to my name;

I am the original, first and sole inventor, if only one inventor is identified below, or an original, first and joint inventor, if more than one inventor is identified below, of the subject matter which is claimed and for which a patent is sought and which is entitled:

ANTI-DIARRHEAL AND METHOD FOR USING SAME

and which is described and claimed:

☐ in the attached application including specification and claims if this line is marked, or

☒ in the original specification and claims filed on January 22, 2002 as U.S. Patent Application Serial Number 10/054,067 or PCT International Application Number

I have reviewed and understand the contents of the specification and the claims;

I acknowledge the duty to disclose information which is material to the examination of the application in accordance with 37 CFR §1.56(a). The text of 37 CFR §1.56(a) states,

"A Patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the

manner prescribed by §§1.97(b) – (d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine: 1) prior art cited in search reports of a foreign patent office in a counterpart application, and 2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that material information contained therein is disclosed to the Office;"

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Provisional Application No.: 60/084,765
Filing Date: May 8, 1998

This application is a continuation pursuant to 35 USC §120 of each prior application (if any is identified) identified as follows:

U.S. Serial No.:
Filing Date: Status:

This application is a continuation-in-part pursuant to 35 USC §120 of each prior application (if any is identified) identified as follows:

U.S. Serial No.: 09/291,784
Filing Date: April 14, 1999 Status: Abandoned

and I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 CFR §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I claim foreign priority, pursuant to 35 USC §119(a) – (d) of an application for patent or inventor's certificate, and identify below said application (if any is identified) and any such foreign application (if any is identified) having a filing date before that of the application on which foreign priority is claimed;

Application No.: Country:
Filing Date:

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true, and I am warned that willful false statements and the like are punishable by fine or imprisonment, or both, (18 USC §1001) and may jeopardize the validity of the application or any patent thereon.

I hereby appoint Basil S. Krikelis (Registration No. 41,129) whose post office address is: Arkion Life Sciences, 3521 Silverside Road, Quillen Building, Wilmington, DE 19810, or their duly appointed associate, my attorneys or agents with full powers of substitution and revocation, to prosecute this application, to make

alterations and amendments therein, to receive the Letters Patent, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Direct all correspondence to the address:

Arkion Life Sciences
Attn: Legal Department
3521 Silverside Road
Quillen Building
Wilmington, DE 19810

Hellen Chaya Greenblatt
Full Name of First Inventor

Hellen Chaya Greenblatt 05/29/02
Inventor's Signature Date

U.S. 2109 Ferguson Drive, Wilmington, Delaware 19808
Citizenship Residence

2109 Ferguson Drive, Wilmington, Delaware 19808
Post Office Address

Orn Adalsteinsson

Full Name of Second Inventor (If Any)

Orn Adalsteinsson 5/30/02
Inventor's Signature Date

U.S. 23 Fern Hill Road, Kennett Square, Pennsylvania 19348
Citizenship Residence

23 Fern Hill Road, Kennett Square, Pennsylvania 19348
Post Office Address

David A. Brodie

Full Name of Third Inventor (If Any)

David A. Brodie 05/16/02
Inventor's Signature Date

U.S. 585 Edison Drive, East Windsor, New Jersey 08520
Citizenship Residence

585 Edison Drive, East Windsor, New Jersey 08520
Post Office Address

Henry Jacoby

Full Name of Fourth Inventor (If Any)

Henry Jacoby 05/16/02
Inventor's Signature Date

U.S. 4119 Ocean Avenue, Brigantine, New Jersey 08203
Citizenship Residence

4119 Ocean Avenue, Brigantine, New Jersey 08203
Post Office Address